

Application No. 09/746,744  
Filed: December 22, 2000  
TC Art Unit: 2666  
Confirmation No.: 6878

### REMARKS

In response to an Office Action mailed on May 26, 2005, Applicant respectfully requests that the above-listed Amendments be entered and the Application be reconsidered. With entry of the above-listed Amendments, claims 1-3, 7, 8, 12-14, 16, 18, 19, 23-26, 28 and 29 are amended, and claims 31-44 are new. Claims 1, 12, 25, 28 and 39 are independent; the remaining claims are dependent.

The Examiner rejected claims 1-10, 12-21 and 25-30 under 35 U.S.C. 102(e) as being anticipated by US Pat. No. 6,038,230 to Yoram Ofek ("Ofek"). The Applicant appreciates the Examiner's detailed Response to Arguments. Independent claims 1, 12, 25 and 28 have been amended to include additional limitations that are believed to distinguish over the cited art. For example, claim 1 has been amended to recite, "pre-establishing a path through said switch for a duration of a time slot that includes said expected packet arrival time." Claim 12 has been similarly amended. New claim 39 recites, "pre-establishing a path through said switch for a predetermined amount of time, based on said expected packet arrival time."

Ofek does not disclose using timing information for routing packets through a switch. In contrast, the presently disclosed system uses timing information for routing packets. For example, one disclosed system pre-establishes a path through a switch according to an expected packet arrival time. No art of record, either alone or in combination, is believed to disclose or suggest a method or apparatus for switching data packet flows that pre-establishes a path through a switch for a predetermined period of time that includes an expected packet arrival time, as recited in amended claims 1 and 12. Claim 39 contains a similar recitation. For at least this reason, these claims are believed to be allowable.

Claims 25 and 28 have been amended to recite, "wherein the scheduled reception time indicates an expected packet arrival time at which said at least one packet associated with said at least one packet flow is expected to be received by said switch." No art of record, either alone or in combination, is believed to disclose or suggest a method or apparatus that includes: (a) schedule information defining a scheduled reception time that indicates an expected packet arrival time and (b) transmit and receive logic that is responsive to such schedule information. For at least this reason, these claims are believed to be allowable.

Application No. 09/746,744  
Filed: December 22, 2000  
TC Art Unit: 2666  
Confirmation No.: 6878


Each dependent claim depends directly or indirectly from claim 1, 12, 25, 28 or 39. The dependent claims are, therefore, believed to be allowable, for at least the reasons given above, with respect to their respective independent claims.

The Applicant notes with appreciation the allowable subject matter identified by the Examiner in claims 11 and 22-24. The Examiner objected to these claims, because each claim depends upon a rejected base claim. However, the base claims have been amended and are believed to be allowable, as discussed above. Thus, claims 11 and 22-24 are believed to be allowable without further amendment.

For all the foregoing reasons, it is respectfully submitted that the present Application is in a condition for allowance, and such action is earnestly solicited. The Examiner is encouraged to telephone the undersigned attorney to discuss any matter that would expedite allowance of the present Application.

Respectfully submitted,

STEVEN A. ROGERS

By:   
George J. Jakobsche  
Registration No. 39,236  
Attorney for Applicant(s)

WEINGARTEN, SCHURGIN,  
GAGNEBIN & LEOVICI LLP  
Ten Post Office Square  
Boston, MA 02109  
Telephone: (617) 542-2290  
Telecopier: (617) 451-0313

GJJ/mac  
322669-1